**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING**

Docket Number (Optional)

REJECTION OVER A PRIOR PATENT

92750/63

In re Application of: Jeffrey Lynn Haddox, Roswell Robert Pfister, James Edwin Blalock, and Matteo Villain

Application No.: 09/967,003

Filed: September 28, 2001

For: SYNTHETIC COMPLEMENTARY PEPTIDES AND OPHTHALMOLOGIC USES THEREOF

The owner*, Fornix Biosciences N.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,310,041. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


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2. ☒ The undersigned is an attorney or agent of record.

 December 11, 2003

Signature Date

Alan D. Miller - Reg. No. 42,889

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